

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	:	Examiner: A. I. Elamin
KOJI FUKUNAGA ET AL.	)	
	:	TC/Art Unit: 2116
Application No.: 10/815,731	)	
	:	Confirmation No.: 9483
Filed: April 2, 2004	)	
	:	
For: DATA TRANSMISSION	)	
APPARATUS, SYSTEM AND	:	
METHOD, AND IMAGE	)	
PROCESSING APPARATUS	:	June 4, 2008

Mail Stop: Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

REQUEST FOR ACKNOWLEDGMENT  
OF CONSIDERATION OF PREVIOUSLY CITED ART

Sir:

Applicants received a Notice of Allowance and Notice of Allowability dated May 19, 2008, in the above-identified application. The Examiner is sincerely thanked for allowing this application.

Upon reviewing the prosecution history for this application, Applicants discovered that the references cited on the PTO-1449 forms attached to the Information Disclosure Statements ("IDSs") filed May 26, 2004 and March 22, 2007, have not been fully acknowledged as having been considered and made of record in this application. Copies of the May 26, 2004, and March 22, 2007, IDSs have been submitted herewith, along with a copy of the returned receipt post card and the electronic acknowledgment

receipt, respectively, evidencing receipt of such documents by the U.S. Patent and Trademark Office.

Applicants have not, to date, received confirmation that all the references cited on the IDSs have been considered by the Examiner. Accordingly, to complete the record, Applicants respectfully request that the Examiner return initialed copies of the IDSs, confirming that the cited references have been considered and made of record in this application.

It is noted that this Request is being submitted due to an error by the U.S. Patent and Trademark Office, and therefore no time should be deducted from Applicants' term adjustment due to the filing or consideration of this paper.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

/Lock See Yu-Jahnes/  
Lock See Yu-Jahnes  
Attorney for Applicants  
Registration No. 38,667

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3801  
Facsimile: (212) 218-2200

FCIS\_WS 2179324v1

*Mail Stop Amendments*

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Date 5 26 04  
 Mo. Day Yr.  
 Atty. Docket 80862-002/36.1  
 Application No. 10/875,731

Sir:

Kindly acknowledge receipt of the accompanying

- ☐ Response to Official Action. \_\_\_\_\_
- ☐ Check for \$ \_\_\_\_\_ (claims fee)
- ☐ Petition under 37 CFR 1.136 and Check for \$ \_\_\_\_\_
- ☐ Notice of Appeal and Check for \$ \_\_\_\_\_
- ☐ Information Disclosure Statement, PTO-1449 and \_\_\_\_\_ documents
- ☐ Claim for priority and certified copies of \_\_\_\_\_ priority applications
- ☐ Issue fee transmittal and Check for \$ \_\_\_\_\_
- ☒ Other (specify) *Submission of Cancelled PTO-1449 FORM*  
 by placing your receiving date stamp hereon and returning to deliverer. *By Hand*

Atty. JK/MS

Due Date

N 1 N N  
 Mo. Day Yr.



FCHS-D-00

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
KOJI FUKUNAGA ET AL.	:	Examiner: A. I. Elamin
	)	
Application No.: 10/815,731	:	Group Art Unit: 2182
	)	
Filed: April 2, 2004	:	
	)	
For: DATA TRANSMISSION	:	
APPARATUS, SYSTEM AND	:	
METHOD, AND IMAGE	)	
PROCESSING APPARATUS	:	May 25, 2004

Mail Stop Amendment  
Commissioner for Patents  
Box Patent Application  
Washington, D.C. 20231

SUBMISSION OF CORRECTED PTO-1449 FORM

Sir:

An Information Disclosure Statement, PTO-1449 Form, and copies of the cited documents were filed in the above-identified application on April 2, 2004.

The PTO-1449 form contains a typographical error in the U.S patent number 5,007,003, which should read --5,507,003--. Accordingly, submitted herewith is a corrected PTO-1449 Form.

It is respectfully requested that a copy of the enclosed corrected PTO-1449 Form be returned, indicating that the information listed thereon has been considered.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

  
\_\_\_\_\_  
Attorney for Applicants

Registration No. 50,333

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NYMAIN440310

NY\_MAIN 430310v1

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICELIST OF REFERENCES CITED BY APPLICANT(S)  
(Use several sheets if necessary)

ATTY DOCKET NO.

00862.002136.1

APPLICATION NO.

Div. of 09/025,133

APPLICANT

KOJI FUKUNAGA ET AL.

FILING DATE

Concurrently Herewith

GROUP

2182

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	6,334,161	12/25/01	N. Suzuki	710	29	
	6,559,962	05/06/03	K. Fukunaga	358	1.15	
	6,425,019	06/23/02	J. Tateyama	710	11	
	4,099,236	07/04/78	Goodman et al.	364	200	
	5,507,003	04/09/96	Pipkins	395	851	

## FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES/NO/ OR ABSTRACT
JP	A 4-142648	05/15/92	Japan			Abstract
JP	A 4-031948	02/04/92	Japan			Abstract
JP	A 3-241417	10/28/91	Japan			Abstract
JPU	62-129654	08/17/87	Japan			Translation
UK	2255877	11/1992	Great Britain	H04M	11/00	

## OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)


EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

## Electronic Acknowledgement Receipt

EFS ID:	1616326
Application Number:	10815731
International Application Number:	
Confirmation Number:	9483
Title of Invention:	Data transmission apparatus, system and method, and image processing apparatus
First Named Inventor/Applicant Name:	Koji Fukunaga
Customer Number:	5514
Filer:	Jennifer Ann Reda/DAVID NGUY
Filer Authorized By:	Jennifer Ann Reda
Attorney Docket Number:	00862.002136.1
Receipt Date:	22-MAR-2007
Filing Date:	02-APR-2004
Time Stamp:	17:05:47
Application Type:	Utility

### Payment information:

Submitted with Payment	no
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### File Listing:

Document Number	Document Description	File Name	File Size(Bytes)	Multi Part/.zip	Pages (if appl.)
1	Foreign Reference	IDS00862002136_1USA600.pdf	687292	no	4

### Warnings:

**Information:****Total Files Size (in bytes):**

687292

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

**New Applications Under 35 U.S.C. 111**

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

**National Stage of an International Application under 35 U.S.C. 371**

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

**New International Application Filed with the USPTO as a Receiving Office**

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.



# **INFORMATION DISCLOSURE STATEMENT BY APPLICANT** ( Not for submission under 37 CFR 1.99)

Application Number	10815731
Filing Date	2004-04-02
First Named Inventor	Koji Fukunaga et al.
Art Unit	2616
Examiner Name	Lynn D. Field
Attorney Docket Number	00862.002136.1

## **U.S. PATENTS**

Examiner Initial*	Cite No	Patent Number	Kind Code <sup>1</sup>	Issue Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear
	1					

If you wish to add additional U.S. Patent citation information please click the Add button.

## **U.S. PATENT APPLICATION PUBLICATIONS**

Examiner Initial*	Cite No	Publication Number	Kind Code <sup>1</sup>	Publication Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear
	1	20010042142	A1	2001-11-15	Fukunaga et al.	

If you wish to add additional U.S. Published Application citation information please click the Add button.

## **FOREIGN PATENT DOCUMENTS**

Examiner Initial*	Cite No	Foreign Document Number <sup>3</sup>	Country Code <sup>2</sup> j	Kind Code <sup>4</sup>	Publication Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear	T <sup>5</sup>
	1							<input type="checkbox"/>

If you wish to add additional Foreign Patent Document citation information please click the Add button

## **NON-PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>5</sup>

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
( Not for submission under 37 CFR 1.99)

Application Number	10815731
Filing Date	2004-04-02
First Named Inventor	Koji Fukunaga et al.
Art Unit	2616
Examiner Name	Lynn D. Field
Attorney Docket Number	00862.002136.1

1		<input type="checkbox"/>
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If you wish to add additional non-patent literature document citation information please click the Add button

**EXAMINER SIGNATURE**

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> See Kind Codes of USPTO Patent Documents at [www.USPTO.GOV](http://www.USPTO.GOV) or MPEP 901.04. <sup>2</sup> Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>3</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>4</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>5</sup> Applicant is to place a check mark here if English language translation is attached.

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Not for submission under 37 CFR 1.99)

Application Number	10815731
Filing Date	2004-04-02
First Named Inventor	Koji Fukunaga et al.
Art Unit	2616
Examiner Name	Lynn D. Field
Attorney Docket Number	00862.002136.1

**CERTIFICATION STATEMENT**

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

- ☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

**OR**

- ☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

- ☐ See attached certification statement.
- ☐ Fee set forth in 37 CFR 1.17 (p) has been submitted herewith.
- ☒ None

**SIGNATURE**

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/Jennifer A. Reda/	Date (YYYY-MM-DD)	2007-03-22
Name/Print	Jennifer A. Reda	Registration Number	57840

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

## Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these records.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.